

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**UNION PACIFIC RAILROAD
COMPANY,**

Plaintiff,

v.

**CLARENDON NATIONAL INSURANCE
COMPANY, ST. PAUL SURPLUS
LINES INSURANCE COMPANY, RSUI
INDEMNITY COMPANY, UNITED
STATES FIRE INSURANCE
COMPANY, and DeANGELO
BROTHERS, INC.,**

Defendants.

CASE NO. 8:07CV429

ORDER

This matter is before the Court on the Plaintiff's Motion to Stay Proceedings (Filing No. 49). In its motion, the Plaintiff represents that all parties have reached a settlement in this matter. Plaintiff requests a temporary 30-day stay for the completion of the release and final settlement documents. In the interest of efficiency, Plaintiff's Motion to Stay will be denied without prejudice and the parties shall be given 30 days to file a joint stipulation for dismissal. Further, Defendant United States Fire Insurance Company's Motion to Dismiss Plaintiff's Amended Complaint (Filing No. 38) will be denied without prejudice based upon the notice of settlement. Accordingly,

IT IS ORDERED:

1. The Plaintiff's Motion to Stay Proceedings (Filing No. 49) is denied without prejudice;
2. On or before July 21, 2008, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to

District Judge Laurie Smith Camp, at smithcamp@ned.uscourts.gov, a draft order that will fully dispose of the case. If the case is being dismissed, then the stipulation shall comply with Fed. R. Civ. P. 41(a)(1), and shall state whether the dismissal is with or without prejudice;

3. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1;
4. Defendant United States Fire Insurance Company's Motion to Dismiss Plaintiff's Amended Complaint (Filing No. 38) is denied without prejudice; and
5. All case progression deadlines and/or hearings are hereby terminated and cancelled upon the representation that this case is settled.

DATED this 20th day of June, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge